

# **EXHIBIT 13**

## **BEAUMONT ISD POLICE DEPARTMENT**

### DISPOSITION OF FORMAL ADMINISTRATIVE INVESTIGATION

**IAD CASE NO: F.22-23.01**

**DATE:** November 11, 2022

**TO:** Shanter R. Norman

**FROM:** Chief Joseph Malbrough

**COMPLAINANT:** Beaumont ISD PD / Lt. P. Haynes

**COMPLAINT:** Officer Misconduct

The above complaint was investigated. Upon review and examination, the disposition was classified as indicated below:

#### **CLASSIFICATION:**

1. UNFOUNDED  
*Allegation is false or not factual*
2. EXONERATED  
*Was lawful and proper*
3. NOT SUSTAINED  
*Insufficient evidence to either prove or disprove the allegation*
4. SUSTAINED  
*The allegation is supported by sufficient evidence.*

*Note: Only sustained complaints become a part of the officer's active service file.*



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## Police Department

INCORRECT

✓ R.

December 12, 2022

Shanter S. Norman  
5750 N. Major Drive Apt.#305  
Beaumont, Texas, 77713

**Re: Investigation Summary and Employment Status**

Dear Officer Shanter Norman,

The purpose of this correspondence is to address the results of the formal internal complaint alleging misuse of social media in a matter that is serious employee misconduct.

**Complaint F. 22-23. 01, Employee Misconduct - Social Media Post, Oct. 20, 2022**

On October 21, 2022, at approximately 0943 hours, BISD Police Department Leaders opened an Internal Affairs investigation concerning allegations that you posted on Facebook negative comments perceived as being directed at department supervisors. Under department policy, the conduct as alleged is "Employee Misconduct."

The investigation revealed that on October 20, 2022, District leadership received several calls and copies of a Facebook post that you made on your page to the public. The post read:

*"My prayer: If I'm ever placed in a supervisor position or over an agency, I pray that I will listen to the ones under my command. I pray I will not be to position driven, and power struck not to have integrity and accountability. I have served my country and community for years. It's been an honor and a privilege. I've had the opportunity to learn a lot and see how not to run an agency and how not to supervise. To be continued."*

BISD employees, community members, and law enforcement officials that reported the post perceived your post as being directed at BISD Police Department leadership in an attempt to embroil the public in an internal departmental matter.

Initially during the investigation, you refused to provide a written statement, citing noncompliance with procedure. The initial request for your statement was made on October 25, 2022. After two weeks of failing to comply with multiple directives to cooperate and being provided policy and law demonstrating the Department was appropriately proceeding with an internal investigation, you submitted your statement via email to Lieutenant Haynes on November 4, 2022.

In your statement, you claimed that the Facebook post was "a prayer to [yourself] and it did not single out any agency or supervisors of [your] present or previous employment."



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However, as indicated above, public perception was that the post was directed at your current employers and resulted in the community and your co-workers losing confidence in your performance of your job duties. Due to the sensitive, high-stress nature of our job duties, trust among the team members is paramount. Your inappropriate use of social media has undermined that trust diminishing the ability of the officers to safely protect the students and staff of Beaumont ISD.

Moreover, Beaumont ISD PD has an internal complaint procedure adopted as Policy 2.4, which outlines the appropriate procedure to present your concerns. The Policy states, "the department's image and reputation depend on the personal integrity and discipline of all departmental employees. To a large degree, the public image of the department is determined by a professional response to allegations of misconduct against its employees. . . . The Beaumont ISD Police Department encourages any person to bring forward grievances regarding misconduct by employees." You acknowledged receipt of a copy of this policy on September 9, 2020. If you were not satisfied with the Department's internal complaint process, you had the right to appeal any internal findings through the District's Board Policy DGBA (Local), which affords employees an efficient process and appropriate forum through which to voice concerns or grievances. Despite multiple structured avenues to address any concerns, you chose to forego the professional approach in discussing your issues, in favor of an unprofessional and inappropriate public forum. By failing to follow the proper channels within the District to address your complaints, you have diminished your personal credibility as an officer, as well as the credibility of the Department. While you claim the post was personal, it was not received as you intended, and therefore, your alleged intent is immaterial.

As such, your conduct violates the following Department and District policies:

- **Policy 2.1 Rules of Conduct section V.F.4, Insubordination:** "Employees shall promptly obey all lawful orders and directions given by supervisors and radio dispatchers. The failure or deliberate refusal of employees to obey such orders shall be deemed insubordination and is prohibited. Flouting the authority of a supervisor by displaying obvious disrespect or by disputing their orders shall likewise be deemed insubordination."
- **Policy 2.1 Rules of Conduct section V.G.11, Conduct and Behavior:** "Employees, whether on-duty or off-duty, shall follow the ordinary and reasonable rules of good conduct and behavior and shall not commit any act in an official or private capacity tending to bring reproach, discredit, or embarrassment to their profession or the department. Employees shall follow established procedures in carrying out their duties as police officers and/or employees of the department and shall at all time use sound judgment."



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- **Policy 2.1 Rules of Conduct section V.H.38:** “Employees shall treat other members of the department with respect. They shall be courteous, civil and respectful of their superiors, subordinates, and associates, and shall not use threatening or insulting language.”
- **Board Policy DH (Local) and the Beaumont ISD Employee Handbook:** “As role models for the district’s students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee’s use of electronic media interferes with the employee’s ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.”

**Investigation’s Disposition and Chief’s Recommendation:**

I have carefully reviewed this Internal Investigation and its findings. The complaint brought against you was **sustained**, meaning the allegations were supported by sufficient evidence.

In conclusion, your unprofessional actions undermine our Department’s credibility and effectiveness as a law enforcement agency in this community. The evidence demonstrates serious misconduct and extreme malfeasance in accordance with Policy 2.5 Employee Discipline. Therefore, as Chief Administrator of Beaumont ISD Police Department I am imposing the following disciplinary action to which you are expected to comply:

- 10 day suspension without pay starting Monday, December 12, 2022 and ending Friday, January 6, 2023. You are to report back to work on Monday, January 9, 2023.

This suspension without pay is being issued pursuant to Beaumont ISD Police Department Policy 2.5, Employee Disciplinary Process, which states, “if the situation warrants, the Chief of Police, in consultation with the Superintendent, may . . . suspend without pay . . . suspensions without pay will normally apply to a period of up to 15 days, as determined by the Chief of Police and Beaumont ISD Superintendent.” Please be aware, the policy also provides that if an employee becomes a candidate for suspension a second time within one year after the first suspension, the employee may be dismissed.”



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During the period of suspension you may not participate in district activities, including athletic events, and you are not to return to any BISD facility or campus whether during or after normal working hours without consent from the Chief of Police.

Sincerely,

Joseph Malbrough, BISD-PD  
Chief of Police

Cc: Derwin Samuels, Executive Director of Human Resources

Encl: Departmental Policy 2.1 Rules of Conduct, 2.5 Employee Disciplinary Process

I acknowledge receipt of this document.

Refused to sign

Shanter R. Norman

12/12/2022

Date

Refused to sign

witnessed by HR Manager

Brandon Basinger

*[Signature]*

witnessed by *[Signature]*

Witnessed by Chief, Joseph Malbrough